

FISCAL IMPACT STATEMENT ON BILL NO. **S. 79**

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TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee	
FROM:	Office of State Budget, Budget and Control Board	
ANALYSTS:	Rodney Grizzle, Allan Kincaid and Harry Bell	
DATE:	January 20, 2005	SBD: 2005025

AUTHOR:	Senators Knotts and Elliott	PRIMARY CODE CITE: 16-8-210
SUBJECT:	Criminal Street Gang Prevention Act	

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:
See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:
\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

This Bill amends the Code of Laws of South Carolina, 1976, by adding Article 2 to Chapter 8, Title 16, which creates the Criminal Street Gang Prevention Act.

EXPLANATION OF IMPACT:

Prosecution Coordination Commission

The Commission indicates that this Bill will significantly impact the number of jury trials. Persons charged pursuant to the Bill would be entitled to a jury trial for both the underlining criminal charge as well as the criminal gang activity. This increased activity could significantly impact the General Fund, insomuch as it affects the Office of Solicitor through the Commission's line item "Judicial Circuits State Support." The fiscal impact is undeterminable at this time due to a lack of historical data/cases relating to the number of criminal gang activities within the past three years.

State Law Enforcement Division (SLED)

SLED currently collects and furnishes information related to gang activities. Therefore, passage of this Bill would have no impact on the General Fund of the State or on Federal and/or Other funds.

The Judicial Department and the Department of Corrections indicate there will be a minimal fiscal impact to the General fund of the State, which the agencies can absorb at their current level of funding.

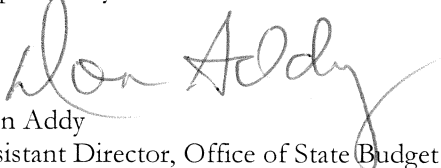
LOCAL GOVERNMENT IMPACT:

Responses from local governments indicate enactment would have an impact on expenditures. Costs include estimates of \$31,250 recurring funds for additional personnel and operating expenses. Non-recurring costs for additional equipment are estimated to be \$20,000.

SPECIAL NOTES:

None.

Approved by:


Don Addy
Assistant Director, Office of State Budget